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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MOHAMED ABDALLA MAHMOUD,

Plaintiff

v.

JOSE NAVARRETE, et al,

Defendants

Case No.: 2:23-cv-00766-APG-MDC

**Order Granting Motion to Dismiss**

[ECF No. 14]

Plaintiff Mohamed Mahmoud, who is incarcerated in the custody of the Nevada Department of Corrections (NDOC), moves to dismiss this action without prejudice. ECF No. 14. Mahmoud states that he would like to dismiss this case so he can exhaust his administrative remedies. *Id.* at 1. Under Federal Rule of Civil Procedure 41(a)(1) (FRCP), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). Thus, Mahmoud does not need to file a motion requesting dismissal at this screening stage. However, because Mahmoud did file his motion requesting, I grant it and dismiss this case without prejudice.

I THEREFORE ORDER that Mahmoud’s motion to dismiss this action without prejudice (**ECF No. 14**) is **granted**. This action is dismissed without prejudice.

I FURTHER ORDER that the application to proceed *in forma pauperis* (ECF No. 1) is denied as moot.

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1 I FURTHER ORDER the Clerk of the Court to enter judgment and close this case.

2 DATED this 1st day of July, 2024.

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5 ANDREW P. GORDON  
6 UNITED STATES DISTRICT JUDGE  
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